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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,459	09/26/2003	Stephen K. Scolamiero	20002.0288	7389

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SWIDLER BERLIN LLP
3000 K STREET, NW
BOX 1P
WASHINGTON, DC 20007

EXAMINER

NGUYEN, THUKHANH T

ART UNIT	PAPER NUMBER
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1722

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,459

Applicant(s)

SCOLAMIERO ET AL.

Examiner

Thu Khanh T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date =.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 5 is objected to because of the following informalities: the term “and the like” is unclearly disclosed. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, the term “feeder channel” in claim 2 is used by the claim to mean, “heat transfer fluid channel”, while the accepted meaning is “molding material feeding channel.” The term is indefinite because the specification does not clearly redefine the term. Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-9 and 37-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Reid, Jr. (5,725,891).

Reid, Jr. teaches a golf ball molding apparatus, comprising a mold with two mold halves (not shown, col. 1, lines 20-22) having a plurality of cavities (26, 126), and upper mold frame and lower mold frame, which reads on the heat transfer plate (28, 128), wherein each of the mold frames having a plurality of series of bores for heating and cooling bores, or channels (130-142), and the channels are coplanar within the mold frame (Fig. 3, 130-142) and each channels has its own inlet (248A-G) and its own outlet (250A-G), wherein the number of channels could be changed, each heat transfer plate could have many series of channels and could be arranged in different orientations,

In regard to claim 3, herein the series of channels are connected to an adapter (144).

In regard to claims 4-9, Reid, Jr. discloses a plurality of plugs (54) are disposed in the bores to control the flow of the heat transfer fluid, this inherently allows different thermal medium, such as steam or cooling liquid to be used (col. 4, lines 39-43).

In regard to the size, the shape, or the orientation of the channels, these properties would inherently be selected depending on the size and the material of the heating plate, and time and material of the molding article.

6. Claims 18-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Labbe et al (4,718,842).

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Labbe et al teach an automatic press, comprising an upper ram and a lower ram (19) which could be both movable or one ram is movable and the other is fixed (col. 2, lines 60-61), and a protection system (32).

In regard to claims 19, the protection system includes a ruler, or a linear measurement device (20) and photoelectric detectors (22, 23), a plurality of force detectors (26, 27), and a controller (32) couple to the detectors.

In regard to claims 20-32, Labbe further teaches a feed back control system for triggering and controlling the movement of the molding ram by comparing different signals obtaining from the detectors (col. 5, lines 52-68).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reid, Jr. (5,725,891) as applied to claims 1-9 and 37-39, and further in view of Nicholson (3,596,317).

Reid fails to disclose a ram and insulating plates.

Nicholson discloses a molding apparatus, having a plurality of heating channels and cooling channels (24, 26) separately and alternatively located on the mold plates (22) in order to alternatively heating or cooling the mold plate, upper and lower rams (18, 56) connecting to the mold plates, and insulating plates (32, 74) to prevent heat lost from the mold plates to the ram.

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify Reid, Jr. by providing a ram and insulating plate as taught by Nicholson (Fig. 2, 70, 20, 74) for opening and closing the mold plates and for preventing heat transferring between the mold plates and the mold support base or the ram.

9. Claims 10 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reid, Jr. ('891) as applied to claims 1-9 and 37-39 above, and further in view of Labbe et al ('842).

Reid fails to disclose a ram and a control system.

Labbe et al disclose an automatic press as described above, in which the movement of the mold plate and the ram are controlled by a controller and a plurality of detectors.

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify Reid by providing a ram and a control system as taught by Labbe et al, because the ram and the control system would regulate the movement of the mold plate to improve the molding process.

10. Claims 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Labbe et al as applied to claims 18-32 above, and further in view of Inaba et al (4,929,165).

Labbe et al fails to disclose that the controller is regulating the speeds of the ram.

Inaba et al discloses a press mechanism comprising a stationary head (2) and a movable mold plate (1), in which a rotation of a motor (14) is regulated by a controller (100) through plurality of position detectors (3A), which in turn control the moving speed of the mold plate (3),

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so that the movable die (3) moves toward the stationary die (4) at different speeds (col. 3, line 57 to col. 4, line 9).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify Labbe by providing a speed control signal to the controller as taught by Inaba et al, in order to improve the controlling of the molding press.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure Koseko et al (5,603,871) teach a pressing apparatus, comprising a mold having an upper mold plate (28) and a lower mold plate (29) with plurality of cavities (73), upper and lower heat transfer platen (25, 26), which have separate heating channels and cooling channels (30-33) containing heating media, wherein the channels are located substantially coplanar within the heat transfer platens.


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Khanh T. Nguyen whose telephone number is 571-272-1136. The examiner can normally be reached on Monday- Friday, 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin L. Utech can be reached on 571-272-1137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TN


BENJAMIN L. UTECH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700